

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39589 of 2022

Arising Out of PS. Case No.-86 Year-2013 Thana- KUDHNI District- Muzaffarpur

URMILA DEVI Wife of Umesh Ram Resident of village - Minapur Centre,
P.S.- Minapur, District – Muzaffarpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Kudhani P.S. Case No. 86 of 2013 under Sections 147, 148, 149,
379, 427 and 342 of the Indian Penal Code, section 3/4 of the
Explosive Substance Act and Section 17 of the CLA Act.

As per the FIR, the informant is a ‘Munsi’ of the
brick-kiln and has alleged that in the morning of 17.04.2013,
15-20 armed variously with ‘*lathi*’, ‘*danda*’ and pistol in their
hands came and took his Mobile. It is further alleged that after
sometimes, he heard the sound of explosion and when he and
other labourers reached near the brick-kiln, they found the
brick-kiln partly damaged. The owner of the brick-kiln was
informed, who reached there and informed that accused,



Kapildeo Singh, Mukesh Singhy and Rajnikhil had threatened to explode the brick-kiln.

Learned counsel for the petitioner submits that she is a poor woman and has falsely been implicated in this case and she is in custody since 05.01.2020. He further submits that some other accused persons namely, Ram Pravesh Baitha, Ragini Devi, Rekha Devi @ Rekha Bharti @ Janki Devi as also Subodh Baitha @ Subodh Kumar have since been granted the privilege of bail vide Cr. Misc. No. 48691 of 2015, Cr. Misc. No. 8456 of 2020, Cr. Misc. No. 9442 of 2020 and Cr. Misc. No. 21392 of 2020 respectively by co-ordinate Benches of this Court. He further submits that the petitioner is ready to abide by all the terms and conditions as imposed by this Court, if granted the privilege of bail.

Taking into account the period of custody as stated above as also that the charge sheet stands submitted and some other accused persons have been granted the privilege of bail as stated above, this Court is inclined to grant her privilege of bail subject to certain conditions in view of the fact that she has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



like amount each to the satisfaction of learned Sessions Judge cum- Special Judge, Muzaffarpur in connection with Kudhani P.S. Case NO. 86 of 2013, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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